

AGENDA - COUNCIL MEETING - WEDNESDAY - MAY 31, 2006 - 9:00 A. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS 2006-0387 to 2006-0406
ORDINANCES – 2006-0506 to 2006-0531
RESOLUTION – 2006-0006

2006-0386-1

DESCRIPTIONS OR CAPTIONS OF AGENDA ITEMS WILL BE READ BY THE
CITY SECRETARY PRIOR TO COMMENCEMENT

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Holm

9:00 A. M. - ROLL CALL

ADOPT MINUTES OF PREVIOUS MEETING

9:30 A. M. - PUBLIC SPEAKERS - Pursuant to City Council Rule 8, City Council will hear from members of the public; the names and subject matters of persons who had requested to speak at the time of posting of this Agenda are attached; the names and subject matters of persons who subsequently request to speak may be obtained in the City Secretary's Office

Motions 2006-0409 to 2006-0410 – Procedural motions

MAYOR'S REPORT

Motion 2006-0407 – Suspend rules to hear Controller's Report prior to the speakers

Motion 2006-0408 – Accept report

REPORT FROM CITY CONTROLLER AND THE CITY ADMINISTRATION REGARDING THE CURRENT FINANCIAL STATUS OF THE CITY including but not limited to, a revenue, expenditure and encumbrance report for the General Fund, all special revenue funds and all enterprise funds, and a report on the status of bond funds

CONSENT AGENDA NUMBERS 1 through 54

MISCELLANEOUS - NUMBERS 1 through 4A

Motions 2006-0415 to 2006-0417 – Procedural motions

Motion 2006-0412 – Suspend rules to consider Items 1 and 2 out of order

1. Motion 2006-0413

CONFIRMATION of the appointment of the following to the **HOUSTON AREA LIBRARY AUTOMATED NETWORK BOARD OF DIRECTORS**, with two-year terms:

Position One - **MS. DEBRA G. ALLEN**

Position Two - **MS. SYMA ZERKOW**

Position Three- **MR. GENE ROLLINS**

Motion 2006-0418 – Suspend rules to remain in session beyond the scheduled noon recess

MISCELLANEOUS - continued

2. Motion 2006-0414

REQUEST from Mayor for confirmation of the appointment of **MS. JOYCE CAMP** to Position Twelve of the **PUBLIC PARKING COMMISSION**, for a term to expire December 31, 2007

3. Motion 2006-0430

RECOMMENDATION from Director Building Services Department to debar **GSG TEXAS, INC, TOM HERINK**, President and **BILL D. MOORE, JR.**, Vice President; and **GOLF SERVICES GROUP, INC**, from receiving City public works contracts for a period of two years

4. Ordinance 2006-0534

ORDINANCE appropriating \$78,754.50 out of Water & Sewer System Consolidated Construction Fund as additional funding for contract with **PELTIER BROTHERS CONSTRUCTION, INC** for Lang Lift Station Replacement, GFS R-0267-70-3 (WW4816-02) (approved by Ordinance No. 04-0548) - **DISTRICT A - LAWRENCE**

a. Motion 2006-0420

RECOMMENDATION from Director Department of Public Works & Engineering for approval of Change Order No. 2 in the amount of \$79,293.86 on contract with **PELTIER BROTHERS CONSTRUCTION, INC** for Lang Lift Station Replacement, GFS R-0267-70-3 (WW4816-02) **DISTRICT A - LAWRENCE**

DAMAGES - NUMBER 5

5. Motion 2006-0421

RECOMMENDATION from City Attorney for settlement of lawsuit styled **VICTOR CORTEZ v. City of Houston**; in the 189th Judicial District Court of Harris County, Texas; Cause No. 2004-01447 \$30,000.00 - Property and Casualty Fund

ACCEPT WORK - NUMBERS 6 through 11

6. Motion 2006-0422

RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$18,730,626.02 and acceptance of work on contract with **MANHATTAN CONSTRUCTION COMPANY** for Terminal C Pedestrian Bridge at George Bush Intercontinental Airport/Houston Project No. 490F, CIP A-0322 and A-0355 - 04.14% over the original contract amount - **DISTRICT B - JOHNSON**

7. Motion 2006-0423

RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$2,948,495.21 and acceptance of work on contract with **W. W. WEBBER, LLC (previously known as W. W. WEBBER, INC)** for Runway 8L-26R Midfield Grading at George Bush Intercontinental Airport/Houston Project 522M, CIP A-0304 - 00.14% over the original contract amount - **DISTRICT B - JOHNSON**

8. Motion 2006-0424

RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$1,536,000.34 and acceptance of work on contract with **W. W. WEBBER, LLC (previously known as W. W. WEBBER, INC)** for Wright Road Extension and Miscellaneous Site Work for the USPS Building at George Bush Intercontinental Airport/Houston Project 610, CIP A-0489 16.42% under the original contract amount - **DISTRICT B - JOHNSON**

ACCEPT WORK - continued

9. Motion 2006-0425

RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$463,995.00 and acceptance of work on contract with **M & I ELECTRIC INDUSTRIES, INC** for Municipal Courts Building Electrical Upgrade, GFS D-0105-02-3 - 05.00% over the original contract amount - **DISTRICT H - GARCIA**

10. Motion 2006-0426

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$223,660.36 and acceptance of work on contract with **JIMERSON UNDERGROUND, INC** for Sims Bayou Siphon; GFS R-0270-02-3 (4717-1) - 37.36% under the original contract amount - **DISTRICT D - EDWARDS**

11. Motion 2006-0427

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,885,017.17 and acceptance of work on contract with **CALCO CONTRACTING, LTD.** for Construction of 42-inch Water Line along Scenic Ridge Dr., Oak Spring Dr., Oak Stream Dr., Timberline Rd., Brittmoore Rd., and Church Ln from Katy Addicks Pump Station to Abandoned Railroad Easement, GFS S-0900-86-3 (WA10624-04) - 02.65% under the original contract amount - **DISTRICT A - LAWRENCE**

PROPERTY - NUMBER 12

12. Motion 2006-0431

RECOMMENDATION from Director Department of Public Works & Engineering relative to the bid sale of Parcel S95-050 of Motion #1995-2152, be amended to appoint one replacement independent real estate appraiser and one alternate independent real estate appraiser and Parcel S87-009 of Motion #2005-986, be amended to appoint two independent real estate appraisers and one alternate independent real estate appraiser – **(S87-009 – Phillip Muschinski and Samuel Stewart – appointed, Michael Copland – alternate) (S95-050 – Jimmy Payton, appointed) - DISTRICTS E - WISEMAN and F - KHAN**

PURCHASING AND TABULATION OF BIDS - NUMBERS 13 through 15

13. Motion 2006-0428

ARROW SERVICES, INC for Asbestos and Lead Abatement Services for Fire Station No. 9 for Building Services Department - \$29,420.00 and contingencies for a total amount not to exceed \$30,891.00 - In-House Renovation Revolving Fund

14. Council Members Wiseman and Holm tagged

ORDINANCE appropriating \$273,720.00 out of Street & Bridge Construction Fund (Fund 405) for Rapid Refueling Upgrades for Public Works & Engineering Department

a. Council Members Wiseman, Holm and Sekula-Gibbs tagged

DUP'S INC for Rapid Refueling Upgrades for Department of Public Works & Engineering \$273,720.00 - Street & Bridge Construction Fund

15. Motion 2006-0429

RUSH TRUCK CENTERS OF TEXAS, L.P. for Medium- and Heavy-Duty Trucks and Bodies for Various Departments - \$243,610.00 - Equipment Acquisition Consolidated and Combined Utility System General Purpose Funds

RESOLUTIONS AND ORDINANCES - NUMBERS 16 through 54

16. Resolution 2006-0007

RESOLUTION of the City Council of the City of Houston, Texas giving consent to **TEXAS GULF COAST HEALTH FACILITIES DEVELOPMENT CORPORATION** for the financing of certain Health Facilities located within the City of Houston, Texas for the benefit of Lifegift Organ Donation Center - **DISTRICT C - CLUTTERBUCK**

17. Council Member Wiseman tagged

ORDINANCE **AMENDING ARTICLE VI, CHAPTER 37 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, by adding a new Division 3 relating to Cable and Video Service providers within the City of Houston

18. Council Members Wiseman and Green tagged

ORDINANCE **AMENDING ARTICLE V OF CHAPTER 40 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Excavation in the Public Way; establishing a schedule of fees for permits issued in connection therewith; containing findings and other provisions relating to the foregoing subject; providing an effective date; providing for severability; containing a repealer

19. Ordinance 2006-0535

ORDINANCE approving and authorizing Special Warranty Deed conveying to Erwin R. Kahn, a parcel of land containing 25,691 square feet, more or less, being out of Block 8, Unrestricted Reserve "F" of Woodland Trails, Section Two, Samuel Lewis Survey, A-510, Harris County, Texas (Water Plant Site located at 7026 1/2 Hidden Arbor Lane, Parcel S95-064); and in consideration of Erwin R. Kahn's payment of \$16,110.00, and other consideration to the City - Revenue **DISTRICT A - LAWRENCE**

20. Ordinance 2006-0536

ORDINANCE approving and authorizing Special Warranty Deed conveying to Norma Alvarez d/b/a Deal Investments, a parcel of land containing 12,993 square feet, more or less, being a portion of Lot 1, Block 1, Timber Creek Addition according to the replat of Blocks 1 and 2 of said addition, A. H. Osborne Survey, A-610 Harris County, Texas (former Northwest Sludge transfer system site located at 1734 Creek Drive at Long Point Road, Parcel S98-062); and in consideration of Norma Alvarez d/b/a Deal Investments' payment of \$103,500.00, and other consideration to the City - Revenue - **DISTRICT A - LAWRENCE**

21. Ordinance 2006-0537

ORDINANCE approving and authorizing Special Warranty Deed conveying to Maria Lourdes Garcia, a parcel of land containing 14,808 square feet, more or less, being all of Lots 470 and 471, Block 16, Fontaine Place Subdivision, Section 4, W. P. Mays Survey, 4-576, Harris County, Texas (former Water Plant Site located at 10400 Castleton Street at Calgary Lane, Parcel S83-088); and in consideration of Maria Lourdes Garcia's payment of \$16,000.00, and other consideration to the City - Revenue - **DISTRICT B - JOHNSON**

22. Ordinance 2006-0538

ORDINANCE approving and authorizing Special Warranty Deed conveying to Gary DeCet, a parcel of land containing 12,269 square feet, more or less, being the east 125.00 feet of the west 185.00 feet of Reserve "A" of Redwoods Subdivision, D. H. Fitch Survey, A-272 Harris County, Texas (former Water Well Site located at 2920 Reed Road, Parcel S87-016); and in consideration of Gary DeCet's payment of \$30,000.00, and other consideration to the City Revenue - **DISTRICT D - EDWARDS**

RESOLUTIONS AND ORDINANCES - continued

23. Ordinance 2006-0539

ORDINANCE approving and authorizing Special Warranty Deed conveying to Cheryl Gonzales, a parcel of land containing 13,198 square feet, more or less, being a portions of Block P and Block Q, together with those portions of abandoned London Street and New York Street located out of a part of the Grand Park Annex Addition, J. E. Durkee Survey, A-1013 Harris County, Texas (excess portion of Health and Human Services Central Warehouse located at 4500 Block of Swanson Boulevard, Parcel SY4-044); and in consideration of Cheryl Gonzales' payment of \$38,000.00, and other consideration to the City - Revenue - **DISTRICT D - EDWARDS**

24. Ordinance 2006-0540

ORDINANCE approving and authorizing Special Warranty Deed conveying to Solwest, LLC, a parcel of land containing 7,625 square feet, more or less, the residue of Lots 21, 22, 23 and 24 and Lot A, Block 125, Central Park Addition, S. M. Williams Survey, A-87, Harris County, Texas (excess Navigation Boulevard, right-of-way located at 6500 Navigation Boulevard, Parcel S71-049); and in consideration of Solwest, LLC's payment of \$13,200.00, and other consideration to the City - Revenue - **DISTRICT I - ALVARADO**

25. Ordinance 2006-0541

ORDINANCE approving and authorizing Special Warranty Deed conveying to Solwest, LLC, a parcel of land containing 10,432 square feet, more or less, being the residue 7,992 square feet out of Lots B, C, D and E Block 125 and 2,440 square feet being the excess right-of-way of Terminal Street, Central Park Addition, S. M. Williams Survey, A-87, Harris County, Texas (excess Navigation Boulevard, right-of-way located at 6600 Navigation Boulevard, Parcel S71-050); and in consideration of Solwest, LLC's payment of \$14,353.00, and other consideration to the City - Revenue - **DISTRICT I - ALVARADO**

26. Ordinance 2006-0542

ORDINANCE approving and authorizing Special Warranty Deed conveying to Jeanette Morones, a parcel of land containing 8,900 square feet, more or less, being all of Tract No. 5 also being a portion of Lot 76, Block F of Archer Acres Subdivision, J. T. Harrell Survey, A-329 Harris County, Texas (former Water Well Site No. 349, located at 9011 Lomax Street, Parcel S87-029); and in consideration of Jeanette Morones's payment of \$13,050.00, and other consideration to the City Revenue - **DISTRICT H - GARCIA**

27. Ordinance 2006-0543

ORDINANCE approving and authorizing Special Warranty Deed conveying to Kelly Ramon, a parcel of land containing 5,000 square feet, more or less, being Lots 29 and 30, Block 14, Manchester Subdivision, an addition to the Town of Harrisburg, Callahan & Vince Survey, A-9, Harris County, Texas (received by the City in a lawsuit settlement located at 9410 East Avenue J, Parcel SY5-057); and in consideration of Kelly Ramon's payment of \$10,000.00, and other consideration to the City - Revenue - **DISTRICT I - ALVARADO**

Motion 2006-0411 – Suspend rules to consider Item 28 out of order

28. Ordinance 2006-0532

ORDINANCE approving and authorizing contract between the City and the **ARTS COUNCIL OF HOUSTON/HARRIS COUNTY REGION** for the Support of the Arts Community

29. Ordinance 2006-0558

ORDINANCE altering and establishing maximum prima facie speed limits in certain zones in the City of Houston; containing findings and other provisions relating to the foregoing subject; providing a repealer; containing a savings clause; providing for severability; declaring certain conduct to be unlawful and providing a penalty

RESOLUTIONS AND ORDINANCES - continued

30. Council Members Clutterbuck, Wiseman, Sekula-Gibbs and Holm tagged

ORDINANCE approving and authorizing first amendment to Contract #52024 between the City of Houston and **HOUSTON MEDIASOURCE** for a Public Access Television Channel - \$250,000.00 Cable Television Fund

31. Ordinance 2006-0559

ORDINANCE issuing a permit to **DANIEL INDUSTRIES, INC** for constructing, using, occupying, operating, maintaining and repairing a Hydraulic Containment System, consisting of a double walled HDPE pipeline and 2 HDPE electrical conduits across, along, under and within Windover Lane, north of Cedardale Drive, the 9700 and 9800 blocks of Pine Lake Drive and the 9700 and 9800 blocks of Larston Drive, public street rights-of-way of the City of Houston, Texas; containing findings and prescribing the conditions and provision under which said permit is issued **DISTRICT A - LAWRENCE**

32. Ordinance 2006-0560

ORDINANCE approving and authorizing lease agreement between the City of Houston and **BEVCO COMPANY, INC**, and **AMERITEX AIRWAYS, INC**, d/b/a **BEVCO AMERITEX** for certain premises at Ellington Field - **DISTRICT E - WISEMAN**

33. Council Members Johnson and Garcia tagged

ORDINANCE appropriating \$1,625,000.00 out of Airport System Consolidated 2001 NON-AMT Construction Fund, and approving and authorizing a contract between the City of Houston and **RANNOCH CORPORATION** for Upgrading Existing Airport Operations Monitoring and Flight-Tracking System for the Houston Airport System; CIP A-0511 - **DISTRICTS B - JOHNSON; E - WISEMAN and I - ALVARADO**

34. Council Members Wiseman, Johnson and Garcia tagged

ORDINANCE appropriating \$2,180,615.00 out of Airport System Subordinate Lien Revenue Bond Series 1998B (AMT) Construction Fund and approving and authorizing contract between the City of Houston and **KOETTER FIRE PROTECTION OF HOUSTON, LLC** for Fire Alarm System Upgrade at George Bush Intercontinental Airport/Houston, William P. Hobby Airport and Ellington Field, CIP A-0500; Project 421 - **DISTRICTS B - JOHNSON; E - WISEMAN and I - ALVARADO**

35. Ordinance 2006-0561

ORDINANCE appropriating \$1,310,000.00 out of Airports Improvement Fund, (CIP A-0138) as additional funding for Professional Consulting Services Contract No. 53607 (authorized by Ordinance No. 02-0171) in connection with Information Technology Services for the Houston Airport System by and between the City of Houston and **DEREK CONSULTING GROUP, INC**; providing a maximum contract amount - **DISTRICTS B - JOHNSON; E - WISEMAN and I - ALVARADO**

36. Ordinance 2006-0562

ORDINANCE amending Ordinance No. 2003-469 to increase the maximum contract amount to contract between the City of Houston and **J.T.B. SERVICES, INC** for Demolition Services for the Houston Police Department - \$75,000.00 - Dangerous Building Consolidated Fund

37. Ordinance 2006-0563

ORDINANCE approving and authorizing a settlement agreement in connection with lawsuit styled Kossman v. City of Houston

RESOLUTIONS AND ORDINANCES - continued

38. Ordinance 2006-0544

ORDINANCE appropriating \$26,915.00 out of Drainage Improvement Commercial Paper Series F, for land purchases, the payment of Appraisal Fees, Title Policies/Services and Recording Fees, for and in connection with the purchase of Parcel Number LY5-009 (located in the 8100 block of Bassett Street, Houston, Harris County, Texas), for the Sunnyside Court Storm Sewer Laterals Project; CIP M-0217-01-2, (owners: Patricia A. Simien and Johnaton Simien) **DISTRICT D - EDWARDS**

39. Ordinance 2006-0545

ORDINANCE appropriating \$29,449.00 out of Drainage Improvement Commercial Paper Series F, for land purchase and Title Services, for and in connection with the purchase of Parcel Number LY5-010 (located in the 8100 block of Bassett Street, Houston, Harris County, Texas), for the Sunnyside Court Storm Sewer Laterals Project; CIP M-0217-01-2, (owner: Mel-Lo Development, L.L.C. - **DISTRICT D - EDWARDS**

40. Ordinance 2006-0546

ORDINANCE appropriating \$164,335.38 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing an Advanced Funding Agreement between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION** for Utility Adjustments along IH 10 from east of Eldridge to east of Kirkwood; GFS S-0521-23-3 (SB9262) - **DISTRICTS A - LAWRENCE and G - HOLM**

41. Ordinance 2006-0564

ORDINANCE appropriating \$264,695.15 out of Water & Sewer System Consolidated Construction Fund and \$255,000.00 out of Tax Increment Reinvestment Zone Affordable Housing Fund; approving and authorizing developer participation contract between the City of Houston and **UNIVERSITY DEVELOPMENT, INC** for Construction of Water, Sanitary Sewer and Storm Sewer Lines to serve Section Six of the Southway Subdivision, CIP S-0800-13-03 & R-0800-13-03 **DISTRICT E - WISEMAN**

42. Ordinance 2006-0565

ORDINANCE appropriating \$222,280.16 out of Water & Sewer System Consolidated Construction Fund and \$192,678.29 out of Tax Increment Reinvestment Zone Affordable Housing Fund; approving and authorizing developer participation contract between the City of Houston and **UNIVERSITY DEVELOPMENT, INC** for Construction of Water, Sanitary Sewer and Storm Sewer Lines to serve Section Seven of the Southway Subdivision; CIP S-0800-14-03 & R-0800-14-03 **DISTRICT E - WISEMAN**

43. Ordinance 2006-0547

ORDINANCE appropriating \$850,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **HNTB CORPORATION** for Design of Neighborhood Street Reconstruction Project No. 435A, GFS N-0367-02-2 (SB9222); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund **DISTRICT A - LAWRENCE**

44. Ordinance 2006-0548

ORDINANCE appropriating \$277,400.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **AIA ENGINEERS, LTD.** for Design of Two Bike/Pedestrian Bridges across West Brays Bayou West, GFS N-0420-05-2 (SB9163-01); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund **DISTRICT C - CLUTTERBUCK**

RESOLUTIONS AND ORDINANCES - continued

45. Ordinance 2006-0549

ORDINANCE appropriating \$270,100.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **SCIENTECH ENGINEERS, INC** for Design of the Concrete Pavement Management and Improvement Program, Kashmere, GFS N-0782-02-2 (SB9245); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT B - JOHNSON**

46. Ordinance 2006-0550

ORDINANCE appropriating \$2,372,420.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **RWL CONSTRUCTION, INC** for Water Line Replacement in Kelving Subdivision, GFS S-0035-A7-3 (WA10767); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, project management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT C - CLUTTERBUCK**

47. Ordinance 2006-0551

ORDINANCE appropriating \$1,625,700.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **D. L. ELLIOTT ENTERPRISES, INC** for Water Line Replacement in Cliffwood Area, GFS S-0035-B8-3 (WA10781); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, construction management, project management and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT C - CLUTTERBUCK**

48. Ordinance 2006-0552

ORDINANCE appropriating \$3,990,000.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **R. K. WHEATON, INC** for Waterline Replacement in the Houston Heights Subdivision, GFS S-0035-94-3 (WA10733); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, project management, construction management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT H - GARCIA**

49. Ordinance 2006-0553

ORDINANCE appropriating \$1,058,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **METRO CITY CONSTRUCTION, L.P.** for Waterline Extensions and Crossings: Willowbrook Service Area, GFS No. S-0100-12-3 (WA10673-2); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, project management and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT A - LAWRENCE**

RESOLUTIONS AND ORDINANCES - continued

50. Ordinance 2006-0554

ORDINANCE appropriating \$1,889,000.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **LAYNE-TEXAS, a division of LAYNE CHRISTENSEN COMPANY** for Well No. 3 for Park Glen Plant No. 1, GFS S-0100-15-3 (WA10807); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, project management, construction management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT F - KHAN**

51. Ordinance 2006-0555

ORDINANCE appropriating \$2,340,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **UTILITY SERVICE CO., INC** for Rehabilitation of Four Elevated Storage Tanks, GFS S-0600-B4-3 (WA10814-04); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, project management, construction management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - DISTRICTS D - EDWARDS and E - WISEMAN

52. Ordinance 2006-0556

ORDINANCE appropriating \$1,730,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **D. L. ELLIOTT ENTERPRISES, INC** for On-Call Water Main & Sanitary Sewer Extensions, GFS No. S-0801-P5-3 (WA10660-05); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, project management and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund

53. Ordinance 2006-0557

ORDINANCE appropriating \$800,000.00 out of Public Library Consolidated Construction Fund for Materials and Equipment for Looscan Library, CIP E-0095 - **DISTRICT G - HOLM**

54. Council Member Wiseman tagged

ORDINANCE appropriating \$30,422,700.59 out of Tax Increment Funds for Reinvestment Zone Number One, City of Houston, Texas (Lamar Terrace Zone), Reinvestment Zone Number Two, City of Houston, Texas (Midtown Zone), Reinvestment Zone Number Three, City of Houston, Texas (Market Square Zone), Reinvestment Zone Number Four, City of Houston, Texas (Village Enclaves Zone), Reinvestment Zone Number Five, City of Houston, Texas (Memorial Heights Zone), Reinvestment Zone Number Seven, City of Houston, Texas (Old Spanish Trail/Almeda Corridors Zone), Reinvestment Zone Number Eight, City of Houston, Texas (Gulfgate Zone), Reinvestment Zone Number Nine, City of Houston, Texas (South Post Oak Zone), Reinvestment Zone Number Ten, City of Houston, Texas (Lake Houston Zone), Reinvestment Zone Number Eleven, City of Houston, Texas (Greater Greenspoint Zone), Reinvestment Zone Number Twelve, City of Houston, Texas (City Park Zone), Reinvestment Zone Number Thirteen, City of Houston, Texas (Old Sixth Ward Zone), Reinvestment Zone Number Fourteen, City of Houston, Texas (Fourth Ward Zone), Reinvestment Zone Number Fifteen, City of Houston, Texas (East Downtown Zone), Reinvestment Zone Number Sixteen, City of Houston, Texas (Uptown Zone), Reinvestment Zone Number Seventeen, City of Houston, Texas, (Memorial City Zone), Reinvestment Zone Number Eighteen, City of Houston, Texas (Fifth Ward Zone), Reinvestment Zone Number Nineteen, City of Houston, Texas (Upper Kirby Zone), Reinvestment Zone Number Twenty, City of Houston, Texas (Southwest Houston Zone), and Reinvestment Zone Number Twenty-One, City of Houston, Texas (Hardy Place) for Affordable Housing, Administrative Expenses, Payment of Project Costs, Payments to the Houston Finance Corporation and certain Redevelopment Authorities as provided herein

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBERS 55 through 62A

55. Motion 2006-0432 – Adopted as amended as shown

MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Finance & Administration Department to **AMEND MOTION #2003-569, 6/4/03, TO EXTEND** expiration date from June 4, 2006 to June 3, 2007, for Uniforms, Accessories and Supplies Contracts for Various Departments, awarded to ~~LONE STAR UNIFORMS, INC (formerly DIRECT ACTION UNIFORMS)~~, **RBI ADVERTISING, INC d/b/a RBI COMPANY, PREMIER EMBLEM, GT DISTRIBUTORS, INC and BRATWEAR** and ~~TO INCREASE~~ spending authority from ~~\$153,778.50 to \$192,223.13, on award to GT DISTRIBUTORS, INC~~ and from ~~\$42,107.65 to \$64,230.71 on award to RBI ADVERTISING, INC d/b/a RBI COMPANY~~

TAGGED BY COUNCIL MEMBERS LAWRENCE and WISEMAN

This was Item 17 on Agenda of May 24, 2006

56. Motion 2006-0433 – Adopted as amended as shown

MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Finance & Administration Department to **AMEND MOTION #2003-571, 6/4/03, TO EXTEND** expiration date from June 4, 2006 to June 3, 2007, for Apparel, Uniforms, Caps and Patches Contracts for Various Departments, awarded to ~~LONE STAR UNIFORMS, INC (formerly DIRECT ACTION UNIFORMS)~~, **PERFECTION UNIFORM CO., LAWMAN'S UNIFORM & EQUIP. CO., and V. H. BLACKINTON & CO., INC** and ~~TO INCREASE~~ spending authority from ~~\$35,710.00 to \$44,637.50, on award to LAWMAN'S UNIFORM & EQUIP. CO.,~~ from ~~\$96,894.05 to \$135,651.67 on award to LONE STAR UNIFORMS, INC (formerly DIRECT ACTION UNIFORMS)~~ and from ~~\$3,734,756.90 to \$3,884,756.90 on award to PERFECTION UNIFORM CO.~~ - **TAGGED BY COUNCIL MEMBERS WISEMAN and KHAN**

This was Item 18 on Agenda of May 24, 2006

Motion 2006-0419 – Suspend rules to consider Item 57 out of order

57. Ordinance 2006-0533

ORDINANCE **AMENDING THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the Regulation of Parking by providing for the transfer of the Residential Parking Permit Program to the Convention and Entertainment Facilities Department and the clarification of provisions concerning the adjudication of parking violations; containing findings and other provisions relating to the foregoing subject; providing an effective date; providing for severability

TAGGED BY COUNCIL MEMBER WISEMAN

This was Item 20 on Agenda of May 24, 2006

58. Ordinance 2006-0566

ORDINANCE **AMENDING CHAPTER 45 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Photographic Traffic Monitoring System Enforcement Procedures

TAGGED BY COUNCIL MEMBERS WISEMAN and GREEN

This was Item 21 on Agenda of May 24, 2006

MATTERS HELD - continued

59. Ordinance 2006-0567

ORDINANCE approving and authorizing contract between the City and **AMERICAN TRAFFIC SOLUTIONS, INC** for Photo Red Light Camera Enforcement System and Services
TAGGED BY COUNCIL MEMBERS GREEN, WISEMAN, JOHNSON, HOLM and LAWRENCE

This was Item 22 on Agenda of May 24, 2006

60. Ordinance 2006-0568

ORDINANCE approving and authorizing \$280,000.00 Legal Services Agreement between the City of Houston and **ANDREWS & KURTH, LLP** to provide legal services in connection with the restructuring of certain Economic Development Loans and with the City's continuing participation in HUD's Sec. 108/Economic Development Initiative

TAGGED BY COUNCIL MEMBER GREEN

This was Item 27 on Agenda of May 24, 2006

61. Ordinance 2006-0569

ORDINANCE appropriating \$368,300.00 out of General Improvements Consolidated Construction Fund and approving and authorizing contract between the City of Houston and **3D/INTERNATIONAL, INC** for Installation and Implementation of CIP Management Software, GFS D-0126-01-5 - **TAGGED BY COUNCIL MEMBERS HOLM and GREEN**

This was Item 31 on Agenda of May 24, 2006

62. Motion 2006-0434 – “FAILED**”**

WRITTEN Motion by Council Member Wiseman to amend Item 62A below as follows:

E. RECRUITMENT/INTAKE/REGISTRATION/DOCUMENTATION PLAN, OF EXHIBIT B, CONTRACTOR, AND/OR ITS SUBCONTRACTORS OR DESIGNEES, will take action to verify that laborers wishing to utilize services at this location are authorized to work in the United States.

Laborers who do not meet criteria prescribed by OMB No. 1615-0047, will be prohibited from obtaining service at this location.”

TAGGED BY COUNCIL MEMBERS ALVARADO and WISEMAN

Motion 2006-0435 – Written motion by Council Member Lovell to amend Item 62a as follows:

“I move to amend Item 62a to include the following paragraph under article 1 of the Contract between the City and Neighborhood Center, Inc., relating to the operation of a Day Labor Program in the East End/Second Ward Area.

1.6 The Contractor further agrees to provide a Form I-9 (Employment Eligibility Verification) available to each prospective employer for use and it should be the employers obligation to the extent required by federal law to prepare, verify, and maintain the form under the U.S. Immigration Reform and Control Act. Of 1986, as amended and maintain a record of having provided the form.”

Council Member Green moved to amend the above motion to delete the word “employer” on the second line and insert “each prospective individual using the services of contractor” for “their” use and the second word employer should say “that individuals obligation” – Seconded by Council Member Alvarado

a. Ordinance 2006-0570 – Adopt as amended

ORDINANCE approving and authorizing contract between the City of Houston and **NEIGHBORHOOD CENTERS, INC**, to provide \$100,000.00 in Community Development Block Grant Funds to operate a Day Labor Program in the East End/Second Ward Area - **DISTRICT H - GARCIA - TAGGED BY COUNCIL MEMBER WISEMAN**

This was Item 54 on Agenda of May 24, 2006

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Brown first

ALL ORDINANCES ARE TO BE CONSIDERED ON AN EMERGENCY BASIS AND TO BE PASSED ON ONE READING UNLESS OTHERWISE NOTED, ARTICLE VII, SECTION 7, CITY CHARTER

NOTE - WHENEVER ANY AGENDA ITEM, WHETHER OR NOT ON THE CONSENT AGENDA, IS NOT READY FOR COUNCIL ACTION AT THE TIME IT IS REACHED ON THE AGENDA, THAT ITEM SHALL BE PLACED AT THE END OF THE AGENDA FOR ACTION BY COUNCIL WHEN ALL OTHER AGENDA ITEMS HAVE BEEN CONSIDERED

CITY COUNCIL RESERVES THE RIGHT TO TAKE UP AGENDA ITEMS OUT OF THE ORDER IN WHICH THEY ARE POSTED IN THIS AGENDA. ALSO, AN ITEM THAT HAS BEEN TAGGED UNDER CITY COUNCIL RULE 4 (HOUSTON CITY CODE §2-2) OR DELAYED TO ANOTHER DAY MAY BE NEVERTHELESS CONSIDERED LATER AT THE SAME CITY COUNCIL MEETING

5/31/2006 – Council Member Brown out of the City on City business